

ULSTER TOWN BOARD MEETING
NOVEMBER 6, 2014 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES QUIGLEY 3rd

PUBLIC COMMENT

Mr. Marc Rider advised the Town Board that if they pass the proposed 2% tax cap override local law, they will affect the resident's property rebate checks from the state.

COMMUNICATIONS

NYS DOT- A letter was read stating that the need for the school speed zone on KuKuk Lane adjacent to the Center for Spectrum Services will require a request by the school. The state would be informed of this requirement.

Christopher & Gina Avery – A letter was read requesting the enforcement and/or lowering of the speed on Potter Hill road. Also requested was the posting of speed limit signs, striping of the road and a "Children at Play Sign."

Resolution granting a one year extension for a Site Plan Revision for JBAF Management d/b/a Prestige Toyota Auto Dealership, SBL# 48.050- 2-7, East Chester St. Bypass, Kingston

WHEREAS, on October 18, 2012, the Ulster Town Board approved the application by JBAF Management d/b/a Prestige Toyota Auto Dealership to construct a 2,480 square foot addition, plus the expansion of the mezzanine floor along with related interior and exterior façade renovations to an existing 32,325 square foot Prestige Toyota Auto Dealership; and

WHEREAS, pursuant to Ulster Town Code Section 145-13(A), construction of an approved site plan shall be commenced within twelve (12) months from the date of approval, or else the approval shall expire; and

WHEREAS, construction of the approved site plan did not commence prior to October 18, 2013; and

WHEREAS, the Town of Ulster Town Board, a duly convened meeting thereof, on October 17, 2013, granted a one (1) year extension of the site plan approval as follows: the approval granted by the Town Board on October 18, 2012 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than October 18, 2014; and

WHEREAS, construction of the approved site plan did not commence prior to October 18, 2014;

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and

WHEREAS, JBAF Management d/b/a Prestige Toyota Auto Dealership, through their project architect, Robert J. DuPont, is requesting an additional one (1) year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the site plan approval heretofore granted on October 18, 2012, shall be amended as follows: the approval granted by the Town Board on October 18, 2012 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than October 18, 2015; and be it further

RESOLVED, that this resolution shall take effect upon payment by JBAF Management d/b/a Prestige Toyota Auto Dealership of any applicable extension fees.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to sign an Out of District Sewer Use Agreement with Central Hudson Gas & Electric for 2001 Route 9W, Lake Katrine, N.Y. SBL 39.15-4-19.1.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the refund of \$20,000 received as a surety for the completion of the environmental cleanup of 454 Hurley Ave. Kingston, N.Y to New L&J Corp.

MOTION: Councilman Morrow
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Award bid for a new single axle Chassie and Dump Body with Plow as part of the Equipment Replacement Program for 2014 ; (1) New Single Axle Mack - GU712 Chassis from Mid-Hudson Mack, 135 Neelytown Rd, Montgomery, N.Y. 12549 for the amount of \$121,202.19 as per the Bid Specifications and Body/Plow/Wing package as per the specifications from T &T Sales located at 409-411 Old Niskayuna Rd, Latham, N.Y. 12110 for the amount of \$91 ,184.21.

MOTION: Councilman Morrow
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to sign the engagement letters for the 2014 Town Audits with Toski & Co., P.C, Certified Public Accounts in the following amounts: General Town Audit and Single Audit \$35,000: Town Justice Court \$2,600 and Town Clerk's Office \$3,000

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye

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Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to sign the proposal for the 2014 GASB45 Actuarial Report with USI Consulting Group in the amount of \$4,900

MOTION: Councilman Brink
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to sign the 2014-2015 DWI Crackdown Enforcement Agreement with Ulster County STOP DWI Division

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Chief of Police to sign a contract with the County of Ulster District Attorney's Office for the loan of Police Equipment to be used by the Detective Division

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye

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Supervisor Quigley - Aye

CARRIED

Motion authorizing the Supervisor to sign the proposal from Lime Energy dated June 13, 2014 for the upgrade and replacement of exterior lighting fixtures at the Town of Ulster Town Hall and Senior Center in the amount of \$7,241.05 to be appropriated from the General Fund- Unreserved Fund Balance

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to transfer Jason Krakowsk, an employee from the Sewer Dept., to the Water Dept. effective December 1, 2014.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize hire of John Quigley as a Part-time Seasonal Worker for the Town Supervisor's Office at a rate of pay of \$12.00 an hour effective November 10, 2014.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye

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Supervisor Quigley - Abstained

CARRIED

Motion to authorize the Highway Superintendent to hire Joseph Killian as a Full-time MEO effective November 10, 2014 at a rate of pay of \$13.76 an hour

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Sewer Superintendent to hire Jason Tremper as a Full-time Water/Wastewater Maintenance Worker at a rate of pay of \$12.29 an hour effective November 11, 2014

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to hire a Kevin Woltman as a Part-time Patrol Officer at a rate of pay of \$19.19 an hour effective November 10, 2014

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

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CARRIED

Motion to authorize the Supervisor to renew the CDPHP Health Insurance on December 1, 2014

MOTION: Councilman Morrow
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to renew the Guardian Dental/Vision Insurance on December 1, 2014

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion Declaring Surplus Equipment from the Highway Department as submitted

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to Auction Off the Declared Surplus Equipment through Auction International and authorize Frank Pretamale, Town Highway Superintendent, at his Discretion to

Approve the Sales of the Equipment due to Approval Deadlines

MOTION: Councilman Secreto
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to Authorize the Sewer Dept. to undertake Manhole repairs in the amount not to exceed \$11,000 with work performed by Arold Construction Completing Work as Authorized.

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation of the 2015 Town of Ulster Fee Schedule

Supervisor Quigley presented the proposed 2015 Town of Ulster Fee Schedule to the Town Board

Presentation of the revised 2015 Transfer Station Budget based upon revised fees

Supervisor Quigley presented the proposed 2015 Transfer Station budget.

Motion to keep the Transfer Station Open for 2015 based upon the proposed 2015 budget and to authorize the Town Clerk to order 2015 Transfer Station Permits

MOTION: Councilman Brink
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye

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Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation to the Town Board for discussion of a resolution restricting the Use of Fracking Wastes on the Town of Ulster Roads

Supervisor Quigley presented the proposed resolution. Highway Superintendent Frank Petramale stated that the Town doesn't use any of those chemicals for roadways and doesn't foresee a need to use them in the future.

Public Hearing - 7:10pm- TOU 2015 Preliminary Budget

Councilman Brink moved to open the public hearing for the 2015 budget at 7:27 PM
2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Public Comment

There was no public comment.

Councilman Secreto moved to close the public hearing at 7:28 PM
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Public Hearing - 7:20pm- Proposed Local Law of 2014: Override of Tax Cap

Councilman Morrow moved to open the public hearing for the proposed tax cap override at 7:29 PM
2nd by Councilman Kitchen

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Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Public Comment

There was no public comment.

Councilman Morrow moved to close the public hearing at 7:30 PM
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Public Comment

Mr. Richard Buck inquired if anyone on the Town Board has a financial interest in the proposed water bottling plant. He expressed concerns about the traffic and environmental impact. All the Town Board members stated that they had no personal financial benefit.

Jennifer Schwartz inquired if the Town was aware of the stance that City of Kingston Common Council took towards the proposed bottling plant and if any of the financial impact costs have been reviewed.

Supervisor Quigley stated that he was aware of the Common Council actions. The City of Kingston Corporation Council lawyer stated that they had no decision to make in this action. No financial impact statements were created or actions taken because the Town is still in the process of determining lead agency status. That action has to take place first before any studies can be done.

Mr. Jared Mance stated that he was in favor of the proposed water bottling plant.

Mr. Richard Buck inquired if the town Board had any objections to the NYS DEC being lead agency to the project.

Supervisor Quigley stated the Town Boards concern for home rule. The SEQRA require all the impact factors to be reviewed.

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Councilman Kitchen moved to adjourn the meeting at 7:39 PM
2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk